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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/851,287	05/08/2001	Johannes J. Verboom	18504/337	3428

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EXAMINER

NGUYEN, TUAN M

ART UNIT	PAPER NUMBER
2828	

DATE MAILED: 02/27/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

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<b>Office Action Summary</b>	Application No.	Applicant(s)	
	09/851,287	VERBOOM ET AL.	
	Examiner Tuan M Nguyen	Art Unit 2828	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) Responsive to communication(s) filed on 09 December 2002.
- 2a) This action is **FINAL**.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) Claim(s) 1-39 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-39 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

*Paul J.*

PAUL J.  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2800

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

- 11) The proposed drawing correction filed on \_\_\_\_\_ is: a) approved b) disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some \* c) None of:
1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) The translation of the foreign language provisional application has been received.
- 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- |   |   |
|---|---|
| <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                  | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____  |
| <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)         | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____                                    |

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 112***

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-39 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 1 and 32 are confusing, vague and indefinite. The claims recite a laser noise control system operating in conjunction with a laser driver so as to control a laser. The claimed limitations can not be read in figure 1 of the invention. It is not clear as how the laser noise control system is operating “in conjunction” with a laser driver so as to control a laser. It is not clear as whether the laser driver and the laser are part of the laser noise control system, or the laser driver and the laser are separated part of the laser noise control system. The claims further recite an optical sensor and a noise reduction feedback network comprising a filter circuit. The claims fail to provide a clear structure as shown in figure 1 of the invention. It is not clear as how the noise reduction feedback network and the filter element are configured in order to provide the laser noise control system of the invention.

Claims 1, 12, 20, 27 and 32 fail to recite “a switch 70” as shown in figure 1 of the invention. The switch 70 holds the key part of the noise feedback in order to control the noise reduction of the laser.

***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1- 39 are rejected under 35 U.S.C. 102(b) as being anticipated by Kaneko et al ('449).

With respect to claims 1, 12, 20, 27 and 32, Kaneko et al discloses a laser noise control system operating in conjunction with a laser driver includes the transistor (31) and the oscillator (37), a laser (30), the laser noise control system comprising a photo detector (40), an amplifier (43), a filter circuit (52), an APC (35) is consider as a processor and a data storage medium (7), note col. 1 line 12 to col. 6 line 7, see figs 1 and 5.

With respect to claims 2-11, Kaneko et al shows in figures 1 and 5 a low frequency control loop operatively attached between the optical sensor and the laser driver to provide CW control of the laser, the optical sensor signal and providing the amplified signal to both the low frequency control loop and the noise reduction feedback network , the control switch to selectively operate the noise reduction feedback network, note col. 1 line 12 to col. 5 line 67 , see figs 1 and 5.

With respect to claims 13-19, 21-26, 28-31 and 33-39, Kaneko et al shows all limitations in figures 1 and 5, note col. 1 line 10 to col. 6 line 7.

***Response to Arguments***

3. Applicant's arguments with respect to claims 1-39 have been considered but are moot in view of the new ground(s) of rejection.

**Citation Of The Pertinent References**

4. The prior art made of record and not relied upon us considered pertinent to applicant's disclose.

The patent to Volz et al (US patent 6,501,773) discloses stabilization of a laser array module.

The patent to Suni et al (US patent 6,233,045) discloses self mixing sensor apparatus and method.

The patent to Hajjar et al (US patent 5,675,568) discloses laser power control in an optical recording system to compensate for variations in mark length resulting from a wobbled groove.

The patent to Failes (US patent 5,598,264) discloses noise compensated interferometric measuring device and method using signal and reference interferometers.

***Communication Information***

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tuan M Nguyen whose telephone number is (703) 306-0247. The examiner can normally be reached on 8am to 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paul Ip can be reached on (703) 308-3098. The fax phone numbers for the

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organization where this application or proceeding is assigned are (703) 872-9318 for regular communications and (703) 872-9319 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-3329.

*Paul Ip*  
Paul Ip  
SPE  
Art unit 2828

TMN  
February 10, 2003